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QUEEN'S UNIVERSITY
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PEACE at HOME:
OR, A
VINDICATION

Of the PROCEEDINGS of the
Honourable the House of COMMONS,

On the BILL for Preventing Danger from
Occasional Conformity.

SHEWING
The Reasonableness and even Necessity of such a BILL,

For the better SECURITY of
The Established Government,

FOR PRESERVING THE
Publick Peace both in Church and State,

And for Quieting the
Minds of Her Majesty's Subjects.

By Sir **HUMPHREY MACKWORTH,**
A Member of the Honourable HOUSE of COMMONS.

L O N D O N :

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T O T H E

Queen's most Excellent Majesty.

M A D A M,

ALL good Men who have any Sence of Religion, any Concern for the true Interest of their Native Country, or any Duty or Gratitude to Your Majesty, (the great Protector under Heaven of all our Rights and Liberties, on whose Happiness, long Life and Prosperity, not only *England*, but *Europe* do so much depend) must all agree in their hearty Wishes and Endeavours for that *Peace and Union* so graciously recommended by Your Majesty from the Throne, however it may be their Misfortune to differ amongst themselves about the Means to attain it.

The World hath lately receiv'd the Opinion of a Learned Gentleman on this Subject, address'd to Your Majesty under all the Ornaments and Advantages of Oratory and good Language, which yet hath not discourag'd, but induc'd me, with all Humility, to lay this plain Discourse at Your Majesty's Feet, depending solely on the Merits of the Case, and Your Majesty's great Judgement; and tho' it comes recommended with no Oratory, no Address, nor with any Collateral Advantage whatsoever, yet still from a Heart sincerely devoted to the true Interest of Your Majesty, and the general Advantage of all your People.

But alas! to what end are any Applications made to Your Majesty on this Occasion, since the Fears and Jealousies of those, who are Members of the *Church of England*, and of those who dissent from it, and the Matters in Controversie arising from those Fears, seem in a fair way

Dedication to the QUEEN.

to be Determin'd, to the Satisfaction of all Parties, by your Gracious Speeches from the Throne, That *You will always make it Your particular Care to Encourage and Maintain the Church as by Law Establish'd, and that You will also Maintain the Act of Toleration for the Ease of Dissenters*; The One shall have your Favour, the Other your Protection: All which is very consistent together, and neither can be dissatisfy'd if both are Preserv'd. Your Majesty may very well perform your gracious Promise, in taking all *Methods which shall be thought proper* (by your Parliament) *to transmit the Church securely settled to Posterity*, and at the same time Preserve the Indulgence granted to Scrupulous Consciences. And when Matters shall be thus happily settled, that both shall be secure from danger of one another, and each of them know the extent of their Privileges: When the Church shall have no Power or Provocation to promote a Prosecution of *Dissenters*, nor any *Dissenters* be permitted to evade the *Laws*, and to get into Publick Offices and Employments in Counties and Corporations, whereby they may be enabled at one time or other to destroy the Church, they will then have no ground of quarrel left on either side, but must necessarily find it their mutual Interest to live together in Peace and Unity.

' Some of the Dissenters have publicly declar'd in their Writings, ' that the Bill against *Occasional Conformity* doth not Concern those ' amongst them who dissent from the Church upon real Principles of ' Conscience: These are the Dissenters to whom they conceive ' Your Majesty hath promised your Indulgence; if any State-Dissent- ' ers, or Politick-Dissenters, are crept in amongst them; any that ' can Conform and will not; they desire to be distinguish'd from ' them, alledging, That all the Parliaments that ever were, or will ' be, can never suppress any thing amongst them so Scandalous to their ' Reputation, and to that Candour with which they desire to guide ' their Actions; nor so contrary to, and destructive of the very ' Nature of their separating from the Church of *England*, and the ' Constitution of their Collected Congregations, as this Ambidexter- ' Conformity.----- It can therefore never be conceiv'd or imagin'd, by any of Your Majesty's most Faithful Subjects, that you can ever be perswaded to lessen the great Satisfaction which Your Majesty hath already given from the Throne to all your People, by shewing any extraordinary Favour to those Men who act upon Principles no ways agreeable to the generality of your Subjects, whether *Churchmen* or *Dissenters*.

It is very certain, as a late Author hath observ'd, That it is *very much beneath your Royal Dignity to be Queen of no more than of half*
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your People ; which may indeed be the Case of those Princes, who think to Rule their Dominions by the Strength and Interest of Parties : But your great Wisdom is sufficiently able to discern, that the Members of the Established Church, can never come under the denomination of a Party ; Your Majesty, and the Three Estates of the Realm, who are all Members of the National Church, do constitute the Body Politick of this Kingdom ; and you are neither one of the Three Estates, nor do constitute a Fourth, but you are the Sovereign Head of that Great Body ; and so long as Your Majesty acts as such, and protects their Rights, you will act as Queen of England, and reign in the Hearts of all your People, who have either Honesty or Ability to Support your Government.

Private Men may deliver their Opinion, but in a Multitude of Counsellors there is Safety ; and no Instance can be given of any Prince in England, that ever Miscarry'd by the Advice of his Parliament. And your Dutiful Commons have not so much as attempted any thing for the Security of the Establish'd Government, in Church and State, but by such gentle Methods as are consistent with the Act of Toleration, are agreeable to the plain Intent and Meaning of the Laws already in Being, and have been found Successful by frequent Experience ; as particularly in the Case of Henry the Third of France, who excluding the Hugonots from Publick Offices and Employments, Converted so many in three or four Years, that it was then thought, if he had continued the same Methods, he might in a short time have reduc'd his whole Kingdom to one Religion ; and what a Blessing would such a happy Union be, to Your Majesty and this Nation ?

The Consequences that may be suppos'd to happen upon such a Bill, or which the Wit of Man can Imagine or Invent as possible, will not discourage Your Majesty from concurring with your Parliament in passing such a Law as they conceive to be Reasonable, and even Necessary to preserve Peace at Home, and to promote an Unanimous Zeal for carrying on a Vigorous War Abroad : such a Law as is agreeable to the Policy and Practice of Foreign States, and of all your Allies, who will rather admire that such an Act was not made before, than be offended at the Wisdom of it ; and in all probability, the sooner such a Bill shall pass into a Law, the sooner there will be an end of Clamours and Dissentions.

The Conscientious-Dissenter will not be offended at it, but being secure of Liberty of Conscience, will be contented to live peaceably,

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and

Dedication to the Q U E E N.

and be thankful for his Toleration ; and the Members of the Church of *England*, being free from danger, and finding the advantage of gentle Methods, will treat the *Dissenter* with *Tenderness* and *Affection*. The *Churchmen* and *Dissenters* will indeed both take new Measures, not to the prejudice, but advantage of the Government ; for instead of Fears and Jealousies, there will be a Mutual Security, and instead of private Factions and Cabals, they will openly join in Defence of Your Majesty, against the Common Enemy. Which, that they may all do, and Your Majesty may be the Glorious Instrument of Providence in Reducing *France* Abroad, and Faction at Home, and may live to see a perfect *Peace and Union* amongst all your Subjects, and long enjoy that great Blessing and Happiness, is the hearty Prayer of,

M A D A M,

Your Majesty's most Dutiful, most Humble,

and most Obedient Subject and Servant,

Humphry Mackworth.

P R E F A C E.

THE securing the Administration of Publick Affairs in the Hands of such Persons as are well affected to the present Establishment, both in Church and State, is a thing in it self so Reasonable, and so Agreeable to the Policy and Practice of all Foreign States, that few I think will openly oppose it.

This was the End of the Bill formerly brought into the House of Commons, to prevent Occasional Conformity; which was an End so very desirable, that those who differ'd in the Means, yet publicly professed to agree in the Conclusion.

Hence we may probably hope, That when upon more mature Consideration it shall be observed, what proper Methods the Commons took to prevent the Corporation and Test-Acts from being eluded, to secure the Established Church from the danger of being Undermined, and to preserve the Liberty and Indulgence granted to Scrupulous Consciences from the Hazard of being resumed, the whole Legislature will readily concur in the Means to so necessary and avowed an End.

As to the Proceedings of the House of Lords, the Writer desires always to pay the highest Deference and Respect to their Lordships, who are so Noble and so Essential a part of our Constitution; and he is sensible that their Lordships are Persons of that great Honor, and are so much concerned in Interest for the Safety and Prosperity of the Established Government both in Church and State, that they will not be offended with any Person whatsoever, that shall endeavour by Reason and Argument, and in a decent and respectful manner, to establish those Truths, that seem to him to be absolutely necessary for the Preservation of it.

Their Lordships have been pleased to declare, That they are ready to join with equal Zeale, in excluding all Persons from Employments of Trust, who join themselves to any other Bodies of Religious Worship, besides the Church of England; and this being the Substance of the Bill against Occasional Conformity, it may reasonably be hoped, both Houses will agree in the Form, and oppose every thing that may obstruct what seems to be so necessary to establish Peace and Union amongst us.

As to the Reasons that induced the Commons in the last Session of Parliament, to Pass the said Bill, they are so briefly, and yet so fully set forth in the Printed Account of their Proceedings upon it, (to which the Reader is refer'd) that there would be no Occasion of writing any more on that Subject, if it were not for some Mistakes and Mis-apprehensions that do still prevail with some Persons, and seem to call for a farther Explanation of it.

The End therefore of this Treatise, is to endeavour to Answer the Objections against the said Bill, and to open the nature of it a little more at large to the World, especially to those who have the Misfortune to dissent from the National Church, that they may not only be freed from Fears and Jealousies on that Occasion, but may also be Convinced of the Usefulness, and even Necessity of such a Bill, for their Own and the Publick Good.

But here the Writer must confess, that he hath great reason to make an Apology to the Honourable and Worthy Patriots of the House of Commons, for appearing in the Vindication of their Proceedings, which so many of that great Body are much more able and better qualified to defend, and which indeed to wise and considerate Persons, do carry with them their own Vindication; but yet he humbly hopes, he shall be able to obtain their Pardon and Protection, since it was not from an Affectation to appear in Print, especially in so plain and homely a Dress, but Zeal for their Service, and the true Interest of his Religion and Country, that hath extorted from him this little Treatise; which, in reality, contains no more in Substance, than what he intended to have humbly offered at the Free Conference on this occasion, if an Accident at that time had not prevented it; and since the Case appears to him to be very plain, when fully and fairly stated, he thought plain English might be sufficient for it: Art and Oratory are very requisite to set off an Argument in a Cause that has no good Foundation; but this needs no Advantage, but a true Relation and an unbiass'd Judge.

As to Liberty of Conscience, the Writer indeed was always of Opinion, That nothing can be more free than the Mind of Man, and that nothing can prevail upon it but

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what is introduced with Love and Kindness, and therefore he ever thought that gentle Methods, by Reason, Arguments, and a good Example, were much more proper and likely means to bring the Dissenters over to the Church than Penalties and Punishments; but yet he cannot conceive that these means will be rendered less effectual by the assistance and influence of such a Bill, which will be apt to dispose them to wish at least for a Reconciliation, and may therefore probably incline them to a more favourable Enquiry into the Nature and Excellency of the Establish'd Church, and by consequence to be not occasionally, but sincerely and heartily reconciled to it.

As to the Writer's Zeal for the Established Government in Church and State, it is so happily founded on the Principles of the said Church, that it doth rather encrease than diminish his Charity for Dissenters: He is very sensible what great influence the Prejudice of Education, the Example of Parents, the Advice of Friends, and long Usage and Custom, (which is a second Nature) generally have over the Minds of Men, and hath therefore a great tenderness for such Dissenters, who are not yet Convinced that they ought to Conform to the National Church; and since the several Branches of the Legislative Authority are now in a temper to continue to them all the Indulgence they do enjoy, and can reasonably be desired, he would not have them incur their Displeasure, by contending for Publick Offices and Employments, which they are not Entitled to by the Act of Toleration, are not any ways necessary for their present or future Happiness, nor is their Possession of them consistent with the Peace and Safety of the Established Government.

He is perswaded that many of them are Men of Candor and Ingenuity, and do rather connive at, than approve of Politicks and Trimming in Religion; and that they have generally more Wisdom than to entrust those sort of Occasional Conformists to be Guardians of their Children, or Executors of their Wills, who yet desire to be entrusted by the Government with the Guardianship and Execution of the Laws of their Country. They well know, that they who can dispence with their Principles for the sake of an Office, can dispence with their Trust for the sake of an Estate; and if they have at any time omitted to observe this Rule, with respect to their private Affairs, yet they have seldom or never fail'd to observe another, with relation to the Publick; and that is, To keep the Power in their own Hands, when ever they have had an opportunity to do it. And therefore, they cannot justly condemn that Prudence and Caution in others, which they have constantly recommended and practis'd amongst themselves; and more especially, when it tends to the Peace of their Country.

But how different soever Mens private Opinions may be on this Subject, it is humbly conceived, that in a Case of this Nature and Importance to the Publick Peace, both in Church and State; the Controversie ought not to be carried on with Heat and Passion, but fairly debated with Reason and Moderation, not by unknown Persons who may be Jesuits or Deists, but by such as dare own their Principles, and will endeavour to reconcile our Differences, and not to enflame them. And since the Writer does not desire to retain an Opinion any longer then it can be supported by right Reason, whoever shall argue fairly, and own his Principles, shall be sure to meet with a favourable Reception, and (if his Arguments deserve it) with a ready Submission to his greater Judgment; but if any Person shall think fit to take the same Method of Answering this little Treatise, which is usually taken by some Persons in answering others, and instead of bringing Reasons and Arguments to disprove what is Written, shall run out into indecent Reflections on the Writer, he shall only desire him to apply to this Occasion a short Saying which was used on another,

Didicit ille maledicere, & ego Contemnere.

To conclude, The following Discourse sets forth the humble Opinion of the Writer on this Subject, which having sincerely delivered according to his Judgment, he may be confident that no Persons will deny the same Indulgence to him, which they are so ready to grant to every other Person, and that therefore he shall never be persecuted for Conscience only; but whatsoever his Treatment may be (for he is not sure he shall meet with that usage himself, which he is willing to give to others.) These are his Principles, and these are the Motives that induced him to make them publick, not to keep up, but to reconcile our Differences, not to promote Parties and Factions, but Peace and Unity; not for the sake of any private End or Interest whatsoever, but for the sake of Truth, and for the general Good of his Native Country.

P E A C E

PEACE at HOME.

ALL Wise Nations in the World, even those who give the greatest Indulgence to Consciences truly Scrupulous, how different soever their Constitution of Government may be in other Respects, and whatever has been practis'd in Ancient Times, in particular Cases or on extraordinary Occasions; yet being convinced by Reason and Experience, they do agree at this Day, and have for many Ages past, not only in Popish but in Protestant Countries, That *there is an absolute Necessity of an Established Religion, and a National Church; and that for the Peace and Welfare of every Government, it is also necessary, to preserve the Administration of Publick Affairs in the Hands of Persons of one and the same Perswasion in Matters of Religion, that there may be Unity and Uniformity in the Church and State, and whilst all the Publick Officers and Ministers are aiming at one and the same Common End, the Publick Good, neither they nor the Nation may be deprived of that End by any unnecessary Dissentions or Clashings amongst themselves about the Means to attain it.*

And wherever a National Church hath been established by Acts of Uniformity, as in this Kingdom, the wise Legislators have generally established some Test, or other Security, to disable and incapacitate those Persons who Dissented from the National Church, from bearing Publick Offices or Employments in the State; as not thinking it *reasonable or safe that any Persons should be entrusted with the Execution of the Laws, who did not heartily approve of, and willingly pay Obedience to them.*

For these Reasons our Wise Predecessors, after long Experience of the many Inconveniences which formerly happened to this Nation for want of such a Security, and after a long and Bloody Civil War in this Kingdom, arising (amongst other Causes) from a Mixture and Confusion of Men of opposite Principles in one and the same Administration, did provide for the Common Safety of the Prince and People, by enacting the Corporation, and afterwards the Test-Act, which were made (as appears by the express Words of the Preambles thereof) that a Succession in Corporations might be perpetuated in the Hands of Persons well affected to the King and the Establish'd Government, for the Preservation of the Publick Peace both in Church and State, and for quieting the Minds of his Majesty's Subjects; That is, as may farther appear by the whole Scope and Tenor of the Acts themselves, and the Remedies therein prescribed: For preserving the Administration of Publick Affairs in the hands of Persons of one and the same Perswasion in Matters of Religion (without which there could be no Peace either in Church or State) and for freeing the Minds of his Majesty's Subjects, not only from the danger of Popery, which is of the greatest Consequence, but also from Fears and Jealousies of coming any more under the Power and Dominion of those Men, who under the specious Pretences of preserving the true Interest of Religion, and of their Native Country, had so lately subverted the Established Government both in Church and State, and even the Original Constitution of it.

These were the great Ends proposed by those Laws, and the Means that were then thought to be most effectual to compass those Ends, were therein provided, viz. That no Persons should be admitted into any of the considerable Offices or Places of Trust in this Kingdom, but such as did appear to be true Members of the National Church, by receiving the Sacrament of the Lord's Supper, according to the Rites and Usage of the said Church.

And whoever shall reflect on the general Practice of the Dissenters in those Days, or the Arguments which they then chiefly made use of on all Occasions to justify their *Separation* from the National Church, and especially their *Refusal to receive the Sacrament according to the Rites of that Church*, which (in their common Language at that time) was no less than *Papery and Idolatry*, could never have suspected that those *Laws* should have wanted the Assistance of this or any other Bill, *To render the same more Effectual for the true Ends and Purposes for which they were made*, which were, to keep not only Popish Recusants but all sorts of Dissenters from the National Church out of the Administration of Publick Affairs.

But it now appears by full Experience, That some of those Dissenters, who with all their Endeavours, could never obtain to be dispensed with by any Law; (and who indeed had needed no Dispensation, if Occasional Conformity to the Sacrament had been so much practis'd in those Days as is now pretended,) having by some Compliances in a late Reign (which I forbear to mention) had a little Taste of the Sweetness of such a Dispensation, and thereby got into Places and Preferments, have of late endeavoured to supply the want of such a dispensing Law, and to preserve themselves in publick Employments, by setting up *An Arbitrary Dispensing Power in their own Consciences, whereby they are enabled to go to the Church for their Profit, and to a Conventicle for their Principles, and thereby to evade all manner of Tests, and to overturn all such Laws and Establishments whatsoever.*

Is not then a Bill against such a Practice as this necessary and reasonable for the Common Safety? Is it not high time to make *the Corporation and Test Acts* more effectual for the Ends for which they were at first made? Is it not just and proper to keep those Men out of Offices and Places of Trust relating to the Government, either in Counties or Corporations, who have no other way to come at them, but by acting contrary to their Original Principles, nor any way to make Attonement for the same to their own Party, but by endeavouring to render those Laws useless and ineffectual with the Execution of which they are entrusted.

The *Corporation and Test Acts* have been esteemed for several Reigns the great Bulwark of the Established Government, against both Popish Recusants and Protestant Dissenters: And one great Complaint upon the late Revolution, was the Attempt which had been made to repeal the said Laws.

But what great difference is there in the Consequence to the Government, between *Evading and Repealing a Law*? Or if Statutes evaded are not to be enforced and made effectual by more prevailing Penalties, to what end do they any longer retain the name of Laws? Or any place in the Book of Statutes?

As to the *Act of Toleration*. How can that Statute be any ways concerned in this Controversie? For neither the Act it self, nor any Clause therein would have been repealed, if this Bill had passed into a Law. No Man hath had the Confidence to assert any such thing; and the Bill it self doth sufficiently demonstrate the contrary, which is as followeth.

As nothing is more contrary to the Profession of the Christian Religion; and particularly to the Doctrine of the Church of England, then Persecution for Conscience only; in due Consideration whereof an Act passed in the first Year of the Reign of the late King William and Queen Mary of Glorious Memory, Intituled an Act for Exempting their Majesties Protestant Subjects dissenting from the Church of England from the Penalties of certain Laws; which Act ought inviolably to be observed, and ease given to all Consciences truly scrupulous, nevertheless whereas the Laws do provide that every Person to be admitted into any (considerable) Office or Employment; (that is, according to the said Corporation and Test Acts, to which this Bill did refer,) should be Conformable to the Church as it is by Law Established, by Enacting that every such Person so to be admitted, should receive the Sacrament of the Lord's Supper, according to the Rights and Usage of the Church of England: Yet several Persons dissenting from the Church, as it is by Law Established, do joyn with the Members thereof in receiving the Sacrament of the Lord's Supper to qualify themselves to have and enjoy such Offices and Employments, and do afterwards resort to Conventicles, or Meetings for the Exercise of Religion, in other manner then according to the Liturgy and Practice of the Church of England, which is contrary to the intent and meaning of the Laws already made.

Be it therefore Enacted, &c. 'The Purport whereof was, that if any Publick Officer, (except Constables, Collectors, Assessors, Overseers, and other Parish Officers who were not included in this Bill) be not Conformable to the National Church, but do resort to Conventicles, that then in case Oath be made thereof before a Magistrate within ten Days after the Offence committed, and Prosecution within three Months, and the Party be thereof Convicted by a Jury on Oath of two credible Witnesses, he shall forfeit his Office, and a Fine of one hundred Pounds to the Prosecutor, and also five Pounds for every Day he shall take upon him the Administration of Publick Affairs after such Departure from the Church; and shall be incapable of holding any Publick Office; but with this Proviso, That if he will again be conformable to the National Church, and give a Years proof of it, and receive the Sacrament Three times in the said Year, according to the Rites and Usage of the said Church, he shall be recapacitated to hold any Publick Office whatsoever; and if he offend a second time, and be thereof Convicted by a Jury, he is to incur double the said Penalties, and not to be capable of any Publick Office, unless he shall be Conformable to the Church for the space of Three Years.

This is the substance, in short, of the said Bill, and what is there in all this, that is inconsistent with the Act of Toleration? For what is the Scope and Intent of that Statute, but only that the Protestant Dissenters shall be exempted from the Penalties of certain Laws that whereas they were formerly not only intended to be disqualify'd from Publick Employments, but also made liable to various Fines and Penalties for not conforming to the National Church; They are now exempted from any Temporal Punishment, in hopes that Gentle Methods by Reason, Arguments, and a good Example may prove better Means to convince them of their Error, and bring them over to the Church than Penalties and Punishments.

Is there any Provision made by the Act of Toleration that any Dissenters from the National Church, should be thereby Entitled to, or qualified for Publick Offices and Employments in the State, notwithstanding the plain intent and meaning of the Corporation, and Test Acts to the contrary? Is there one Clause or Word in the whole Act to that purpose? Or did the Dissenters ever desire any such thing, or any more than Liberty of Conscience to serve God in their own way, that they might follow their respective Trades, and enjoy their Liberties and Properties, without being disturbed by Prosecutions for Conscience only? How then can the Act of Toleration be any wise concerned in this Debate?

This Bill therefore did not only not affect any Inferior or Parish Officers, as Constables, Collectors, Church wardens, &c. Nor any voluntary Society, (as some would suggest) but it did not so much as affect any Dissenter whatsoever, who cannot Conform to the National Church, neither did it affect those Dissenters who think fit to Conform Occasionally for their own Information, or private Satisfaction; nor indeed any Dissenter whatsoever, with regard to Liberty of Conscience abstracted from the Publick Safety. It only affected those particular Dissenters who thought fit to Conform for an Office, but would not Conform for the Unity of the Church. Those who thought fit to evade the Laws for their own sakes; but not to pay Obedience to them for the Safety of the Government. That is, it affected only one sort of Occasional Conformists, Such as Conform for Offices and Places, and not them with regard to Liberty of Conscience, but merely with respect to the Publick Safety. So far was this Bill from repealing any one Clause in the Act of Toleration, or from bringing any real Hardship upon the Conscientious Dissenter.

Let Men then speak out in plain English, and say what they would have: Let them tell the Truth, and confess that they are not now contending for Liberty of Conscience, but for Power and Dominion. They have indeed gained the first Point, and may, (if they will be contented with it) enjoy the same to all Posterity: But if they will be still contending for more; if nothing else will please them but a Power to destroy the Established Church, that hath given them this Indulgence, can they blame the true Members of the National Church for endeavouring to preserve themselves? Or did any Person ever attempt their own Security, with greater Moderation than by such a Law, which is altogether defensive, without the least Encroachment on the Rights or Privileges of any other? How then can this be called a Persecution? Is the meer Preservation of the Establish'd Government in Church and State to be esteemed no less than Persecution of Dissenters? Is their Interest

Interest and Safety so Incompatible? Or is there no Liberty in this World, or hopes of going to a better without a Publick Employment?

What great Mistakes then do those worthy Persons unfortunately fall into who are persuaded to argue against such a Bill; for with all due submission to greater Judgments, What occasion was there to make any Harangues in Praise of the Dissenters, and of the great Benefit of the Act of Toleration, when nothing was attempted to the Prejudice of either? What occasion was there to endeavour to prove that *the going to a Meeting is not malum in se* That the Dissenters are not Schismatics, that Occasional Conformity is not a new, but an old Invention, That a great difference ought to be put between Persons going to a Popish and a Protestant Dissenting Meeting, and that lesser Penalties have usually been inflicted on private Persons for going to Mifs, or Conventicles, then are in this Bill? When none of these Points seem to be any ways material in the present Debate; for this Bill did not affect any private Persons going to a Meeting, nor determine whether they are Schismatics or not, nor whether Occasional Conformity be a new or an old Invention, neither did it take away the Distinction that is very justly made between a Popish and a Protestant Dissenting Meeting, it only seconded the Motions made by our Wise Predecessors in the Corporation, and Test Acts that no Persons whatsoever should be employ'd in the Administration of Publick Affairs, and in the greater Offices and Employments relating to the Peace and Welfare of the Queen and Kingdom, but such as were true Members of the National Church, and by consequence did sincerely with well to the Establish'd Government.

The proper Questions then to be debated upon this Bill, seem to be no other then these: *Whether it be consistent with the Safety of the Established Government, either in Church or State, with the Wisdom of the English Nation, with the Practice of any wise Government in the World, or with the true intent and meaning of the Corporation and Test Acts, to admit any Persons whatsoever, (whether Schismatics or not, whether Tolerated in their Private Capacities or not, whether Popish or Protestant Dissenters, whether Natives or Foreigners, whether old Sinners or new ones, or whether guilty of any Crime or of no Crime, into Publick Offices and Employments relating to the Government, either in Counties or Corporations, who are not sincere Members of the National Church, and who do not heartily approve of the Laws of the Land, and cheerfully pay Obedience to them.*

And whether it is better to have the Administration of Publick Affairs in the Hands of Persons of one and the same Persuasion in Matters of Religion, or to have a Mixture and Confusion of Men of opposite Principles in one and the same Administration; or in other words, whether it is better to have all the Publick Officers draw together the same way for the Publick Good, or to have some drawing one way, and some another, and thereby tearing the Government in pieces between them? That is in short, and in effect, whether it is fit that the Corporation and Test Acts should be Enforced or Repealed?

These are the Questions upon this Bill; and if both Parties will keep to the Subject Matter of the Debate, we may expect some good Issue of it; but if either of them shall leave the chief Points, and run to other Matters that are Entirely Foreign to the present Controversie, is it not plain to all Men of common Capacities, that they give up the Merits of the Cause, and depend solely on the Weakness of the Readers Judgment for the Success of their Arguments. I cannot therefore see the necessity of giving the World a large Account of the Fines and Penalties appointed for the Reformation and Punishment of Private Persons frequenting Popish and Protestant Conventicles, as a Precedent or Rule for the Reformation, or Punishment of Publick Officers? Neither can I understand that we are obliged to Preach up Charity to Private Offenders; and thereby uncharitably expose the Safety of the Queen and Government to the male Administration of Publick Officers. For as to the Penalties in the said Bill, is there no difference to be made, when the Government is concerned, and when it is not? Is there no difference to be made between a Penalty imposed for the Reformation of a Private Offender, and a Penalty appointed for the Security of the Established Government? Is there no distinction between an Offence committed by a Person in a Publick, and in a Private Capacity? Between the Safety of one particular Member, and of the whole Body Politick? Shall Laws be made for the Security of the Government, and shall we agree that those Laws are necessary, and yet refuse to make them effectual? If not, then it is very certain, That what is alledged by some Persons to another purpose, ought to be more strictly observed, and that is a *Just Proportion between the Offence and the Punishment*? And if the Offence be of such a Nature, as is inconsistent with

with the Peace and Safety of the Established Government; the Punishment also ought to be such, as will in all probability prevent the Commission of it.

But with great Submission, can that be done by a *Penalty of Twenty Pounds*? And by giving so small a part as *one Third* thereof to the Informer, *with the odious Character of being one of the worst sort of Men*? Will any Man be encouraged to serve the Government at that rate? Or if Men were bound to prosecute on those Terms, Would not such a Law be rather a Penalty on the Informer, than on the Offender? Is Restitution only a sufficient Punishment for any Offence? Or will giving up an Office with so small a Fine in that case amount to Restitution? Can it be imagined that Men put into Places to serve a Party, or to undermine our Constitution, will be discouraged from this Offence by so small a Penalty? Or will they not rather be encouraged to undertake any Publick Employment? And may not the Established Government be over turn'd and destroyed, before such Men can be discovered and brought to Punishment?

Laws of this nature, which are so highly necessary for the Peace and Welfare of the Church and State, are not made upon a Supposition that they will be broke, but kept; and the Penalties imposed in such Cases are not intended as a Satisfaction for the Crime, by way of *Commutation*, as is allowed on some Offences of a more private Nature; but they are imposed in order to deter Men from ever committing such Offences as are inconsistent with the Publick Safety. And for these Reasons the Wisdom of our Ancestors thought fit to inflict so great a Penalty in the *Test Act*, not with regard to the *Nature of the Offence*, when committed by a *Private Person*, but when Committed by a *Publick Officer*, and in order to deter such Men from undertaking the Administration of Publick Affairs, who are not sincerely affected to the true Interest of the Establish'd Government; and certainly as far as the Publick Safety ought to be prefer'd before the Safety of a particular Person, so far there ought to be a just Proportion observed, between a Penalty imposed for the Security of the one and of the other.

Pray let us consider, Is not the Offence against this Bill of the same Nature, as the Offence against the *Test Act*? *Is there not five Hundred Pounds Penalty by that Act given entirely to the Informer for the very first Offence, without any Time limited for the Prosecution, besides Disabilities and Incapacities of the highest Nature?* And is one Hundred Pounds Penalty for the first Offence, and five Pounds a Day for an obstinate and wilful persisting in it, equal to five Hundred Pounds certain without any Relief? Is a Penalty of one Hundred and Fifty Pounds, or even the Possibility of five Hundred and fifty Pounds, when all but one Hundred Pounds even after Breach of the Law, is in a Man's own Power; to be esteem'd *Cruelty and undue Severity*, for an Offence of the same Nature with that for which five Hundred Pounds certain is by the same Persons thought to be a reasonable Penalty?

But granting that these Penalties should be greater than those heretofore inflicted: Yet if former Laws by reason of the Smallness of their Penalties have been found too weak to attain the Ends for which they were made, *why may not a new Law be proposed with such Penalties, which it is hoped, may prove more effectual for the Publick Safety.*

As to the Objection of Danger from false Witnesses, are Men in this Age to be more careful of their Places than of their Lives? Have not all Men as much Security by this Bill against false Witnesses, as they have in the Case of Felony, or even High Treason if self? Must they not be convicted by a Jury, upon the Evidence of two credible Witnesses, and are not the Jury Judges of the Credit of those Witnesses? What greater Security can be desired? And whether is it better, whether is of greater Consequence to the Nation, That a private Person should run the Hazard of losing an Office upon the Evidence of two Witnesses, tho' they should happen to be false, or that the Government should run the Hazard of being ruined and undone by the mixt and opposite Administration of Publick Officers?

There is indeed one very great Difference between the *Test Act* and *this Bill*; for upon the former, a Man may suffer and be convicted without his own wilful Default, as it lately happened upon Failure of a Sessions, and Neglect of the Justices, &c. but on this Bill, *No Man could suffer by the Neglect of others, nor through his own Inadvertency, he must offend knowingly and wilfully, it must be his own premeditated Act that brings him within the Compass of this Law.* So that the Arguments that are used against the Penalties of this Bill, are much stronger against that in the *Test Act*, which hath been establish'd by the Wisdom of our Ancestors.

And if in the first Act against Conventicles, the third Offence was punished with Banishment (as is observed by some Persons) in the Case of a private Subject, where nothing

thing was considered but the meer Act of Disobedience, *What Fines and Penalties would the same Legislators have imposed, in case the Publick Safety had been added to the Consideration?*

But with great Submission, is it not very strange to hear the same Arguments made use of against this Bill, which were formerly insisted on for repealing all the Test Laws whatsoever? Even those against Papists as well as those against Dissenters? And were then rejected with Indignation by all the great and wise Men in the Kingdom? It is pleaded, That

An Englishman cannot be reduced to a more unhappy Condition, than to be put by Law under an Incapacity to serve his Prince and Country; But may not a Papist, as well as a Dissenter, be an Englishman? Has not Popery been ever looked on, as that which we ought to apprehend and fear the most, and guard chiefly against it, being our most inveterate, most restless, and most formidable Enemy? Is the next Step to be made, to let in the Papists also into the Government? Is the Church to be ground to pieces between both? If not, How comes this Argument to be so much insisted on; which any Man may as well make use of, who refuses the Oath of Allegiance to his Lawful Sovereign, or any Legal Qualification whatsoever for Publick Officers, which are usual, and even necessary in all Nations and Governments in the World, when it is not the Law, but his own Disloyalty that puts him under such an Incapacity? And when Men ought, nay can, and actually do comply with the Law for their own private Advantage, but will not for the sake of the Government (which is the Case of the Occasional Conformists) Whether is it the Law or their own stubborn and corrupt Wills that puts them under an Incapacity to serve their Prince and Country?

It is also alledged, *That nothing but a Crime of the most detestable nature ought to put him under such a Disability: Whereas it is evident, that the Law doth not so much regard the nature of the Crime in this Case as the Publick Safety; and if the Law be so tender of the Safety of a private Person, that it will not suffer the next of kin, to whom the Estate may descend, to be Guardian of an Infant, and have the Management of his Estate, tho' he be guilty of no Crime at all, because the Guardian will gain an advantage by the Death and Destruction of that Infant, how much more ought the Law to take care of the Publick Safety, that those Persons may not be Entrusted with the Guardianship and Execution of the Laws, whose Interest it is to Defeat and Destroy them?*

It is farther observed, *That they who think the being present at a Meeting to be so high a Crime, can hardly think that a Toleration of such Meetings ought to continue long, notwithstanding the Bill says, that the Act of Toleration ought to be kept inviolable.*

But with due Deference to greater Judgments, what premises are there to warrant such a severe conclusion upon the Commons? What prodigious steps must be made to come at it? How many plain and obvious Distinctions must be laid aside to compass this Argument? Is there no difference to be made between a Wilful and Unwilling Separation from the National Church? Between Occasional Conformity for an Office, and for Private Information? Between doing that which is, and that which is not consistent with the Publick Safety? And, in short, between an *Affirmative* and a *Negative*? For does it follow, that in case the Commons should think it a detestable Crime in those that can and will not Conform, that therefore they must of Necessity entertain the same thoughts of those that would Conform and cannot? Is there no difference to be made between a Person that *can* and a Person that *cannot* conform? Or between an *Occasional Conformist* for an Office, and a *Conscientious Dissenter*?

The Commons do indeed say, *That Conforming and Non-conforming are Contradictions; nothing but a firm Perswasion that our Terms of Communion are sinful and unlawful can, justify the one, and that plainly condemns the other; but they pass no Sentence at all on the going to a Meeting by a Person that cannot Conform.* And therefore, for any thing appears by this Bill, or the Arguments of the Commons upon it, they may have as favourable an Opinion of such Dissenters as others have.

And after the Commons had made such a Solemn Declaration in favour of the *Act of Toleration* in the preamble of this Bill, how can it seem so very agreeable with that Charity and Tendernefs that is profess'd to Dissenters, and which our Religion teaches, to pass such a hard, not to say unwarrantable and uncharitable Censure on the Representatives of the People?

The Commons have indeed shewed a great tendernefs for Consciences truly Scrupulous, and are very well pleased with the *Act of Toleration*, in hopes that gentle Methods will rather prevail with the Dissenters, than Penalties and Punishments: Yet it may be presum'd they cannot come up to that Doctrine that is taught
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by others, that the going to a Meeting is now established by a Law, and made part of our Constitution; for are the Acts of Parliament, that require an Uniformity in the Church, repealed by the *Act of Toleration*? Or are the *Dissenters* barely exempted from the Penalties of those and other Laws? Is there no difference then between establishing *Conventicles*, and exempting them from Humane Penalties? Is a thing justified and made lawful, because it is not attended with Temporal Punishments? No certainly, the Laws for Uniformity do still require Obedience *in foro Conscientiæ*, and they cannot but think the *Dissenters* are in an Error (by what Name soever it may be called) in Separating from the National Church, which they take to be the best established Church in the World; but yet they are very willing to give those *Dissenters*, that are not yet convinced they ought to Conform, all the indulgence that can reasonably be desired, and which is in any measure consistent with the Publick Safety; but it is to be hoped that none of their Friends, who profess to be of the Church of *England*, will from thence draw such Conclusions, as tend rather to encourage them in their Error, than to convert them from it.

It's farther alledg'd, That as the Law stood upon this Bill, any Person having an Office might be present at Mass, upon much easier Terms than he might be present at a Conventicle: But what is the meaning of this? Did not this Bill equally extend to *Papists* as well as *Protestant Dissenters*? And is not the Government secur'd from *Papish* Officers by many other Laws? Is not a *Papist* Convict (who is easily Convicted for not coming to Church) under Incapacities and Disabilities of the highest nature? So that there was not only this Bill, but a great many other Laws against *Papists*; and a great many higher Penalties by loss of Estate, Incapacities, &c. but there is no Penal Law against *Occasional Conformity* for an Office, nor can the Government be Secured against it, but by some such Penalties as were intended by the said Bill, which yet are not near so great as those against *Papists*; being so effectual, that it is presum'd no one Instance can now be given of any of that Religion that are in Publick Employments.

As to the Proviso to Qualify the Incapacity, it is objected that more is to be done thereby than by any former Law against *Papists*: What then? If this Bill did equally extend to *Papists* as well as other *Dissenters*; if the Laws for the Security of the Government against both, or either of them, are not sufficient, why may not a new Law be made to render them more effectual? And if Men will knowingly and wilfully transgress that Law, why should they not give a Years proof of their Sincerity and Repentance before they are entrusted any more with the Publick Safety? Moreover, there was not so much reason to restore a Person immediately, upon his Conforming, to a Publick Employment, as to his private Property; and a second Offence is a *Relapse and an Apostacy*, which are Circumstances that aggravate it, and make it more heinous than the first Offence, and therefore deserves an increase of Punishment.

These sort of Objections are indeed very popular, but then they ought to be justly applied, and Care taken not to fall into the same Error which is charg'd on others, and which may as well happen by making no Distinction between *Papish* and *Protestant Dissenters* in the Amendment, as in the Original Clause.

As to our *Protestant Allies*, How can it be conceived that they should intermeddle or concern themselves with the Administration of our Government, any more than we do with theirs? Much more that they should be offended with us for doing the same thing which they do themselves, who have all a National Church, and preserve the Publick Peace, by keeping *Dissenters* from it out of the Administration?

And as to the *Foreign Protestants* amongst us, did they ever desire to have a share in the Government of *England*, any more than the *English* Abroad do desire it in other Countries? Or doth this Bill take away any one Privilege they ever enjoyed, or ever requested from the *English* Government? How then can this be said to be a Persecution? Do the *English* call it Persecution in *Holland*, *Germany*, &c. if they are not there admitted into the Administration of the Government? Or do any of those Nations take other Measures than these that are now proposed? And if not, why should not *England* take as much care of their Government, in Church and State, as their Neighbours do?

And since we have to great Advantages from their *Woollen Manufactures*, as by some hath been alledg'd, is it prudent to take them from their Trades that they do understand, and wherein they are so very serviceable to *England*, and put them into Offices and Places which they do not understand, and where they can do no manner of Service either for *England* or themselves? Or if those *Foreigners* had been excepted out of this Bill, might not the *Commons* have heard of greater Objections against the Bill, by the *Dissenters* that are Natives, than now they do?

As to the Clause for Exempting Protestant Dissenters from Offices of Burthen; the Commons did not so much oppose the giving Ease to Dissenters in that Particular, as the doing of it in such a manner, and by such a Clause which tended to encourage Persons bred up in the Church of England to go to Conventicles meerly to save themselves from Offices of Burthen, which would rather *Establish Occasional Nonconformity, then prevent Occasional Conformity, and must therefore have a very different Effect from what was designed; for instead of curing, it would encrease the Evil which this Bill intended to remedy: And since no Obligation of bearing burthenfome Offices, was by this Bill laid upon any Subjects, nor any new Law introduced in Favour of the Church, it did not seem proper in this Bill to insert a new Law in Favour of Dissenters.*

As to the Clause relating to the Universities, it seems to be altogether unnecessary in this Case, those Learned Bodies having been sufficiently provided for in the Acts of Uniformity.

And as to the Clause relating to Hospitals and Corporate Work-Houses, where the Governors and Assistants are not obliged in the private Acts, (by which they are Established) to receive the Sacrament, (as many of them are not,) there they were not included in this Bill; but when they were obliged to receive the Sacrament as a Qualification, it is allowed to be very reasonable, that they who could Conform for an Office, should also Conform for the Unity of the Church.

As to the Objections against the Corporation Clause, the same being passed with a Solemn Declaration, *of being ready to joyn with equal Zeal in Excluding all Persons from Employments of Trust, who joyn themselves to any other Bodies for Religious Worship, besides the Church of England.* They will require no further Answer; for since it was admitted, that it was a Scandal to Religion to Conform for a Place in a County, it would have seemed very strange to have insisted, that it was no Scandal to do so in a Corporation: as if Men in Corporations had some particular Privilege to be exempted from Scandal when they did Scandalous Actions.

It has indeed been urged by some Persons, that the Words of that Act were *general and uncertain*, tho' that Act was made before the *Test Act*, and no Objection to it of that kind was ever made before; and that it was hard that Men should be deprived of their Birth-rights, as if the Subjects were born *Mayors or Common council-men*; it was further insisted that the said Law was founded on Reasons peculiar to that time, when the Kingdom was just delivered from a long Usurpation. Whereas the Law was then made perpetual, and the Reasons were so too, which were declared to be, *that a Succession in Corporations might be perpetuated in the Hands of Persons well affected to the King, and the Established Government, and for preserving the Publick Peace both in Church and State; and that was by preserving an Uniformity in both; without which it will be always impossible to preserve either; and there may be almost as much danger from an Usurpation creeping on by Evading a Law, as from an Usurpation directly contrary to it.*

It has been denied by some Persons, that in case the Commons had departed from the Corporation Clause, the Dissenters might let themselves into the Government of Corporations, and thereby influence the Government of the Kingdom, notwithstanding the Consequence seems very plain and unavoidable. For tho' they could not let themselves into the Offices of Magistracy, to be *Mayors, Bayliffs, or other head Officers*, yet they might act in other Employments relating to the Government of Corporations, which are not yet adjudged to be within the *Test Act*, as *Common council-men, &c.* And if they had the Majority of the *Common council* in every Corporation, they might make what *By-Laws*, and Elect what *Mayors*, and in many Cases what *Members of Parliament* they pleased, and then what could hinder them from Influencing the Government of the Kingdom.

It is indeed truly observed to be the great Security to the Established Religion, that all who sit in the House of Commons ought to be true Members of the National Church, but what the real Difference may be between a *Church-man, chose by Church-men, and chose by Dissenters*, may not be so very easily determined; for if the Church-men chose by Dissenters should prove to be Occasional Conformists, some Persons do think the Difference between them to be only this, *That the former will be for bringing the Dissenters to the Church, and the latter for bringing the Church to the Dissenters.* And that the former will be for using Gentle, and the other Severe Methods to attain their Ends, especially if they may have leave to judge in this Case, from the Temper of their Brethren in an Adjacent Kingdom.

It is farther observed, That the only Contest between both Parties for and against this Bill, is which shall most befriend and take care of the Church. The one (they say) would procure a hasty settled Submission, not so much to be depended upon; the other would obtain for
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ber, a more gradual but a safer Advantage, over those that dissent from her, the same End being designed by both, and only some Difference in the Means to attain it: For we are told, That the Dissenters are coming into the Church, and nothing but terrifying Measures and Severity can prevent the happy Union. But with great Submission, what are these Terrifying Measures and Severity? are the Commons going to set up an Inquisition? Are they going to use Fire and Faggot to Convert them? Or, is it really thought such a terrible thing to be kept out of an Office? Far be it from the Commons to entertain so mean an Opinion of the Conscientious Dissenter, as to believe that such a Qualification Bill as this will be a means to procure a hastily settled Submission not to be depended upon? But they may indeed very reasonably hope, that it may be a Means to obtain a more gradual and safer Advantage over those that Dissent from the National Church; for Interest is a prevailing thing, and does often dispose Men by degrees to a more favourable Enquiry into the Truth, which is the great thing the Church seems to want for the Conversion of Dissenters; and whenever they shall think fit to come over to the Church, for the sake of their Principles, and not of their Profit, they will certainly be received with all the Tenderneſs, Joy, and Affection that can be expressed. But in the mean time, till this gradual and happy Union can be procur'd, there is one Difference more, that seems yet to remain between some that argue for and against this Bill. That the former are of Opinion, that the way to preserve the Church, is to keep the Power in the Hands of those who are true Members of it, and the latter think it is to leave the Power, (for at least a good share of it) in the Hands of their Adversaries.

As to the Act of Toleration, all Parties are agreed in the Preservation of it, only some are of Opinion, the said Law ought to be observed without enforcing the Corporation and Test Acts; and others are of Opinion, not only to preserve the former, but enforce the latter also. And thus it's plain the Commons hope to have all the good Effects of the Act of Toleration, and yet to have the Security intended by the Corporation and Test Acts too, they are not willing to sacrifice one in Complement to the other, but believe that both will do best for the Publick Safety.

By this means, Occasional Conformists will indeed be excluded from the Government, but private Persons will be still at Liberty to use their Discretion. And therefore if any Good did ever accrue from Occasional Conformity, as is by some alledg'd, that from Occasional, it grew to constant Conformity, if not in the Persons themselves, yet in their Children. The Church will loose no Advantage in that Respect by this Bill; for they that Occasionally Conform out of Principles, may do so still, and they that Conform merely for Profit, have the greater Inducements to be constant to the Church; and to add to the Number of those descended from Occasional Conformists, we may hope to see the Occasional Conformists themselves espouse the Cause of the Church with more Zeale.

The best of the Dissenters desire not Power or Dominion, but Liberty of Conscience, and Exemption from Penal Laws. The true Members of the Church of England desire no more than to see the Administration of Publick Affairs, in the Hands of such, who are well affected to the Established Government, that whilst they are freely consenting to the Liberty of others, they may not be deprived of that Liberty themselves, of which they have formerly had very melancholy Instances both in their own and in a Neighbouring Kingdom.

Amongst other Arguments for Occasional Conformity, I cannot forget one that is very extraordinary. That the Pope and the Church of Rome do very much encourage Occasional Conformity, and that they are in the right, and gain their Ends by it; But although the Example of the Pope and the Church of Rome is what few would make choice of, to recommend any thing to the People of England; yet I cannot observe any Weight in this Argument, unless it could also be proved, that the Pope did intrust Occasional Conformists with the Administration of Publick Affairs, which he never did: And the same Persons who alledge, That the Pope doth always encourage the Occasional Conformity of Protestants, do on the other hand observe, That he always discouraged the like Conformity in Papists, and that he was in the Right as to his own Interest; for he saw what in time Occasional Conformity would grow to, and therefore he did put a stop to it, in the Beginning of Queen Elizabeth's Reign, and by a Bull condemned it; if therefore we might draw any Argument or Conclusion from the Proceedings of the Pope, we might rather conclude, That as the Pope was so wise as to entrust none in his Government, but who were true Members of his Church, so we ought to be so wise as to entrust none in this Government but who are true Members of ours, and as Occasional Conformity of Papists was formerly a Means to ruin Popery; so the like Practice of Publick Officers in this Government, may now be a means to ruin the Church of England.

It is observed to be the Apostle's Rule, *Omnia prebete, quod bonum, est tenete*, which (some say) is impossible should this Bill pass; But with great Submission, that is a Mistake; for any private Persons may go to a Meeting to try whether they like that manner of Worship better than the Established Church or not: But certainly it is fit they should be settled in their Religion, before they are entrusted with the Publick Safety.

It is added, *That if this Bill the Commons are contending for, had been a Law before the Reformation, in time of Popery, it had prevented even the Reformation it self, which was owing in great measure to Occasional Conformity.* Now supposing the Men of those Days to have been as greedy of Profit and Preferment as the Men of these, and this Proposition to be true in the utmost extent, that such a Bill would have prevented the Reformation, because it would have prevented any Innovation in the Established Church; yet it seems to be the best Reason that can be given for passing this Bill, and preserving the Church of England from any such Innovation.

But here it may not be improper to observe that there are two ways of avoiding a thing proposed to be done, that is, by shewing the *Unreasonableness of the Thing, or the Unseasonableness of the Time*, and thus when all other Arguments fail, when nothing else of Weight and Moment can be said against the Reasonableness of such a Bill, you must not be offended with such other Arguments as the Nature of the Case will bear; and therefore you will not admire to hear it said, *that tho' there may be some things to be found fault with, yet a proper time ought to be taken to apply Remedies; and that in time of War Alterations are not only unnecessary, but dangerous*: So that in time of War, the end whereof is uncertain, we must not, (it seems) make any new Laws, tho' ever so necessary for the Publick Safety; because all new Laws do make some Alterations.

But when we see a Nation divided into Parties and Factions, and are assured that a Kingdom divided can never stand, when we see by Experience that Church-men and Dissenters can never draw well together for the Publick Good; that therefore it is absolutely necessary to preserve Uniformity in the State, as well as in the Church, and to Establish the Administration of Publick Affairs in Men of the one or the other Persuasion, since the Contention seems to be grown to that height that in all probability it cannot last much longer without Ruine to the Nation. Is it not high time to heal these Divisions? And which way can that be done, but by such a Bill as this, *which will remove the Temptation, and will place the Golden Ball of Contention out of sight, by preserving Dominion in its proper Channel, within the just Bounds and Limits of the National Church?*

And since it is allowed, that there is a necessity of having an Established Religion, and a National Church, and that no Persons ought to be entrusted with Employments of Trust, who join themselves to any other Bodies of Religious Worship, besides the Church of England. How can a thing be necessary and unnecessary at the same time? Or when can this necessary thing be done with less danger, or in a better Reign to obtain a Sanction to it? But wherein does the Danger lye? Are the Occasional Conformists grown so numerous and powerful? Is it not plain then (what the Commons have alledged) *that the Interest of the Church and State cannot long be supported without such a Bill?* And what great Encouragement have the People of England to spend so many Millions to secure our Religion and Government from the Common Enemy abroad, if they are not able to secure them by good Laws at home? And if the Occasional Conformists put in a Claim of Right to elude our Laws from so short a Practice, what will they do if the Legislature suffer the Continuance of it?

It is agreed that the Presbyterians, Anabaptists, Independents, and Quakers can no more be reconciled to one another, then they can be to the Church, or ever be contented to share the Power amongst them, and will every one rather consent that the Administration of Publick Affairs should be in Members of the Church of England, than of any other Sect of Dissenters besides themselves. Since then it is esteemed impracticable to divide the Administration amongst them, and intolerable to have it in any one Sect of them; how can it be imagined but that the Body of Dissenters will be contented with the Act of Toleration, and Liberty of Conscience, without running the hazard of Ruine and Confusion to themselves and their Posterity, by unreasonable Contentions for Power and Dominion, without any prospect of Advantage by it? how can it be conceived that the Conscientious Dissenter will be prevailed on to engage against the Church by Wicked and Ambitious Men, who have no other Design but to set one against the other in order to destroy both? For upon the strictest Enquiry it will be found, *That Persecution was not the Cause that the Dissenters were formerly Seditious and in Arms, and Opposition against the Church and State, as is alledg'd by some Persons; but on the contrary, they were always* first

first abused and misfed by Popular and Ambitious Men, to disturb the Peace of the Government, before any Penal Laws were made, or put in Execution against them.

And what elfe can ever deprive the Confcientious Diffenter of the Aft of Toleration he now enjoys ; but his being milled by fuch *Evil Councellors* to contend for Power to ferve the private Ends of Irreligious and Self-deligning Men, and at laft to deftroy thofe that gave him that Indulgence.

Are the Diffenters fecure that there are no lurking Deifts, no Socinian Politicians behind the Curtain, who are ftiving for Power and Dominion, under the fpecious Pretences of Liberty of Confcience ? Are they fure that fome fuch Men are not making ufe of the Diffenters as Tools and Scaffolds, to raife themfelves, deftroy our Conftitution, and Extirpate the true Chriftian Religion out of the Kingdom ? Is there no Reafon to fufpect that thefe are the Men who have made ufe of fo many Arts and Stratagems to undermine our Conftitution both in Church and State ? To fet not only the Churchmen and Diffenters together by the ears, but alfo to divide the Church it felf ? Is it not from thefe fort of Men we have learnt the Difftinction between *High Church* and *Low Church*, the *High Flyers* and the *Moderate Churchmen* ? &c. And fince they know that the Church, in all probability, cannot be Deftroyed but by it felf, do they not find it neceffary to keep the *Diffenters* united, and the Church in a divifion, and to make the number of the *Low Churchmen* the greater, have not they Lifted the *Occafional Conformifts* amongst them ? And may not therefore the great Contett in this Nation, under the old Names of *Whig* and *Tory*, of *Williamite* and *Jacobite*, of *Churchmen* and *Diffenters*, &c. be reduced at laft to this fingle Contention, *Whether fuch Men as thefe, of what denomination foever, (that are moft for Liberty of Confcience in the largeft fence, without troubling their Thoughts about the Myfteries of Revealed Religion) or the Queen and her Proteftant Succeffors, (with the affiftance of true Chriftians of the National Church) fhall Govern this Nation ?*

If this be not the Difpute, let any Man demonftrate what it is ; or for what end, and by what Perfons any *Diffenters* are fo much incited to oppofe this Bill, or to imagine that the fame is defigned to bring any real hardfhip upon them.

If Men are now contending for Power and Dominion, let them fhew what it is they are contending for : Liberty of Confcience is enjoyed by virtue of the *Aft of Toleration*, which by this Bill would have been enforc'd with a Solemn Declaration, *that it ought invariably to be obferved* ; what then would they have ? If any *Diffenters* pretend to be under fears without a Caufe, why fhould they admire that the Members of the Church do labour under very great fears, when they have fo many and fo great Caufes for it ? When they fee Epifcopacy Abolifhed in a Neighbouring Kingdom, and themfelves furrounded in this with *Deifts*, *Papifts*, *Socinians*, and *Occafional Conformifts* ? When they fee fome Men take fo much Care, and ufe fo many Arguments, in favour of the *Aft of Toleration*, and none at all in favour of thofe Laws that were made for the Security of the *Eftablifhed Church*. Is this a proper time to fecure the one and not the other ? Or what elfe is the meaning of thefe Proceedings ?

The Way to preferve the Publick Peace in Church and State, is not to oblige the Diffenter and difoblige the Church, but to preferve the juft Rights and Privileges of both, and to remove all fears and jealousies on either fide ; on the one, of being ever Deftroy'd, on the other, of being ever Protefted for Confcience only ; and that can never be done but by fuch a Bill as this, which will remove the Caufes of all our Fears, and of all our Divifions.

Such a Bill will not only fecure Her Majefty from the danger of having two Contending Parties in the Nation, but her Royal Proteftant Succeffors alfo from fplitting on a Party of fuch Principles that muft inevitably end in the Ruin of the Monarchy.

No Prince whofe Right is eftablifhed by Law, can ever have juft Caufe to fear an Oppofition in this Kingdom, when the Government is firft fetled in Peace and Unity ; but on the other fide, no Prince either in Poffeffion or Reverfion, can ever be fecure where a Nation is divided into Parties and Faftions, it muft therefore be very acceptable and advantageous to Her Majefty and her Princely Proteftant Succeffors, that all our Differences fhould be thus happily reconciled, and *Peace and Union* both in Church and State fecured and eftablifhed. There will then be no Danger in the entrance upon the Government, nor any Difficulty under the fubfequent Adminiftration of it ; the beginning will be on a foot of *Unity*, and the continuance will be founded on the *Eftablifhed Conftitution*, which will always be the beft Supporter of Monarchy, and a Proteftant Succeffor.

And thus upon the whole Matter, fuch a Bill as this will not only tend to fecure the Church, but to preferve the *Queen*, her *Proteftant Succeffors*, and even the *Diffenters* themfelves, in *Peace and Happinefs* : The *Queen*, by Eftablifhing that Unity and Uniformity in the Church and State, which is abfolutely neceffary to preferve the Peace and Welfare of

every

every Government in the World : *The Princely Protestant Successors*, by putting them at first on such a Foundation on which alone the *English Monarchy* is built, and can be supported : *And the Dissenters themselves*, by removing the occasion of those Fears and Jealousies, which have ever been the Cause of their Prosecution.

And as on one side, such a Bill will be prejudicial to none but those *who mean private Interest under publick Pretences*, so on the other it seems to be absolutely necessary to quiet the Minds of Her Majesties Subjects, who being thereby satisfied, that neither the Church shall be undermined by *Occasional Conformists*, nor the *Dissenters* be tormented with *Penal Laws* or *Prosecutions*, will be all inclined to live together in Peace and Unity, each enjoying their respective Privileges, and all uniting against the Common Enemy of the QUEEN and KINGDOM.

POSTSCRIPT.

HAVING thus, with great Deference and Submission, endeavour'd to Vindicate the Proceedings of the *Honourable House of Commons*, on the last Bill for *Preventing Occasional Conformity*, I humbly crave leave to add, That I do not from thence conclude that so Wise and so Great an Assembly are not able to amend their own Bill, as they have done several Laws made by their Wise Predecessors : I doubt not but all Objections to the same will be duly weigh'd and consider'd, and care taken to make proper Amendments and to Pass such a Bill for this purpose, as will neither be a Snare to the *Churchman*, nor a Prejudice to the *Dissenter* ; such a Bill as will not Destroy, but Preserve our Religion, Laws, and Liberties, and evermore establish Peace and Unity amongst us, and settle our Constitution upon a sure and lasting Foundation.

F I N I S.

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A Vindication of the Rights of the Commons of *England*. By Sir *Humphrey Mackworth*, A Member of the *Honourable House of Commons*. The Third Edition. London : Printed by *Freeman Collins* in the *Old-Baily*, 1704.

